

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

FARIS ABDUL-MATIYN,

Plaintiff,

-against-

DISTRICT ATTORNEY'S OFFICE BRONX  
COUNTY,

Defendant.

21-CV-11074 (LTS)

ORDER OF DISMISSAL  
UNDER 28 U.S.C. § 1651

LAURA TAYLOR SWAIN, Chief United States District Judge:

By order dated May 5, 2016, then-Chief Judge Loretta A. Preska barred Plaintiff from filing any new action *in forma pauperis* (IFP) without first obtaining from the Court leave to file. *See Richardson v. City of New York*, ECF 1:15-CV-6025, 10 (S.D.N.Y. May 5, 2016).<sup>1</sup> Plaintiff files this new *pro se* case, seeks IFP status, and has not sought leave from the Court. The Court therefore dismisses the action without prejudice for Plaintiff's failure to comply with the May 5, 2016 order.

The Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that any appeal from this order would not be taken in good faith, and therefore IFP status is denied for the purpose of an appeal.

*See Coppedge v. United States*, 369 U.S. 438, 444-45 (1962).

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<sup>1</sup> In *Richardson*, Plaintiff brought claims on behalf of himself and his daughter. By order dated March 30, 2016, Judge Preska dismissed the complaint, and based on Abdul-Matiyn's litigation history, ordered him to show cause why he should not be barred from filing future civil actions IFP without prior permission from the court. ECF 1:15-CV-6025, 7. On March 5, 2016, Judge Preska entered the bar order. The Second Circuit subsequently vacated Judge Preska's order of dismissal solely as to the claims brought by Richardson. (*See* ECF 1:15-CV-6025, 13.) The Second Circuit affirmed the dismissal of Abdul-Matiyn's claims and the bar order remains in effect.

The Clerk of Court is directed to mail a copy of this order to Plaintiff and note service on the docket.

SO ORDERED.

Dated: December 28, 2021  
New York, New York

/s/ Laura Taylor Swain  
LAURA TAYLOR SWAIN  
Chief United States District Judge